

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GEOFFREY LAWSON,

Plaintiff,

v.

BERNARD WARNER, ROY
GONZALEZ, JOHN DOE BAILEY,
JOHN DOE TELLARIA, L. WONDERS,
JOHN DOE MILLER,
CORRECTIONAL OFFICER FORD,
CONSELORS GUNTER, AYERS, AND
STUENKEL,

Defendants.

No. C14-5100 RBL/KLS

**ORDER TO FILE A SECOND
AMENDED COMPLAINT**

On March 2, 2015, the District Court issued an Order that adopted the undersigned's Report and Recommendation and dismissed plaintiff's complaint with leave to amend "consistent with the Report and Recommendation." Dkt. 57. The District Court ordered that plaintiff could not add new defendants or new causes of action in the amended complaint. *Id.*

The Report and Recommendation recommended dismissal of defendants Wyman and Simmons. Dkt. 55 p. 10. Plaintiff's amended complaint improperly includes information

1 relating to these defendants. Dkt. 58 p. 6. The Report and Recommendation recommended
2 dismissal of all access to courts claims that were not based on plaintiff's current sentence or
3 conditions of confinement. Dkt. 55, p. 10. Plaintiff again includes information and causes of
4 action based on a "tax case" against the City of Bremerton and based on prior convictions where
5 plaintiff has served the sentence. Dkt. 58, p. 8.

6
7 The District Court instructed plaintiff that he could not add new defendants or new causes
8 of action. Dkt. 57. Plaintiff "while not formally adding additional defendants, includes in the
9 fact pattern the names of those indispensable parties who also violated Plaintiff's rights." Dkt.
10 58, pp. 10-11. Plaintiff also seeks leave to add those persons. *Id.*

11 In the Report and Recommendation the undersigned limited plaintiff's access to Courts
12 action to review under the Fourteenth Amendment. Dkt. 55, pp. 11-12. In Plaintiff's first
13 amended complaint Plaintiff again attempts to raise his access to courts claims under the First
14 and Sixth Amendments in addition to the Fourteenth Amendment. Dkt. 58-1 pp. 6, 8-12.


15
16 Plaintiff's first amended complaint is sixty seven pages long and does not comply with
17 Fed. R. Civ. P. 8(a), which requires a plaintiff to provide "a short plain statement of the case
18 showing that the pleader is entitled to relief." The First Amended Complaint is unacceptable.

19 The undersigned finds that plaintiff has failed to comply with the order entered March 2,
20 2015. Dkt. 57. The undersigned will not consider plaintiff's First Amended Complaint.

21 Accordingly, it is **ORDERED**:

- 22
23 1) Plaintiff shall file a second amended complaint that complies **with the**
24 **District Court's March 2, 2015 Order. Dkt 57. Plaintiff's Second**
25 **Amended Complaint must be filed, on or before May 8, 2015.** If
26 Plaintiff fails comply with this Order or if the undersigned finds that
Plaintiff's second amended complaint remains deficient, the undersigned
will recommend dismissal of this action.

DATED this 16th day of April, 2015.


Karen L. Strombom
United States Magistrate Judge